

IN THE SENATE OF THE UNITED STATES.

MARCH 2, 1860.—Ordered to be printed.

Mr. BENJAMIN made the following

REPORT.

[To accompany Bill S. 42.]

*The Committee on Private Land Claims, to whom was referred Senate bill 42, for the relief of the heirs and legal representatives of Mark Elisha, report:*

That the said bill was drawn up by the officers of the General Land Office, in view of the facts set forth in the annexed letter of the Commissioner of the General Land Office, addressed to your Committee:

GENERAL LAND OFFICE, *January 24, 1860.*

SIR: I have the honor to return, herewith, Senate bill No. 42 and other papers, received with your communication of the 19th inst., and have to state that the attention of this office was called to the matter of the unconfirmed claim of Mark Elisha, by the Hon. Thomas G. Davidson, per letter of the 27th ultimo—copy herewith. This claim, entered under No. 365, in the 7th class—being that class of cases not recommended for confirmation—of the report dated 30th December, 1815, of the register and receiver at Opelousas, Louisiana.—See American State Papers, vol. 3, pp. 151 and 179.

From the letter of Mr. Davidson alluded to, it would appear that the land embraced by the claim—alleged to be parts of lots Nos. 3 and 4, south one half of section 20, sections 21 and 28; lot 6, of section 27; and lot No. 1, of section 29, township 2 north, of range 4 east, including a part of the town of Markesville, Louisiana—has been for a long series of years in actual occupancy and peaceable possession of the parties claiming under Mark Elisha.

The accompanying diagram exhibits the several tracts alleged to be, in part, embraced within the limits of the claim, a portion of which, indicated thereon in *blue*, has been reported as swamp land enuring to the State of Louisiana, under act of 2d March, 1849. As the land has been represented by Mr. Davidson as held for municipal purposes, in fact, organized into a town, it is, of course not regarded as falling under the swamp law.

With the exception of the letter from Mr. Davidson, referred to as above, and letters addressed to himself and the Hon. John Slidell, on the 4th inst., copies of which are inclosed, there appears to be no cor-

respondence in regard to the claim, either on file or of record, in this office.

I am, sir, very respectfully, your obedient servant,

S. A. SMITH,  
*Commissioner.*

Hon. J. P. BENJAMIN,

*Chairman of the Com. of Private Land Claims, U. S. Senate.*

The Committee, in view of these facts, recommend the passage of the bill.